

SENATE CONCURRENT RESOLUTION NO. 12.

Executive Office,
State of Texas.

Austin, April 2, 1909.

To the Secretary of State:

Senate Concurrent Resolution No. 12 is herewith transmitted for file in the office of the Secretary of State without my approval. This resolution had for its object the relief of a purchaser of two and one-half sections of public school lands situated in Uvalde county, Texas, who bought upon the condition of occupancy, and to relieve his vendees from the effects of the failure to comply with the condition of occupancy, and to authorize the issuance of patent to said lands upon compliance with other requirements of law. This concurrent resolution is disapproved on account of the following objections:

1. Section 4 of Article 7 of the Constitution of Texas provides, among other things, that "the lands herein set apart to the public free school fund shall be sold under such restrictions, at such times and on such terms as may be prescribed by law, and the Legislature shall not have power to grant any relief to purchasers thereof." It is clear, therefore, that the Legislature does not possess the power to grant relief to purchasers of public school lands in such cases.

2. Section 56 of Article 3 of the Constitution of Texas enumerates certain restrictions upon legislative power, and among other things provides that "in other cases where a general law can be made applicable no local or special law shall be enacted." And it is believed that said concurrent resolution is within this inhibition against the enactment of special laws and for this further reason Senate Concurrent Resolution No. 12 is unconstitutional.

T. M. CAMPBELL,
Governor of Texas.